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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,580	08/17/2001	Scott Ashkenasz	KT-1040A	3952
61507	7590	08/14/2006	EXAMINER	
DAFFER MCDANIEL, LLP			GARLAND, STEVEN R	
P.O. BOX 684908			ART UNIT	PAPER NUMBER
AUSTIN, TX 78768			2125	

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/932,580	ASHKENASZ ET AL.	
	Examiner	Art Unit	
	Steven R. Garland	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 June 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-8 and 10-13 is/are allowed.
- 6) Claim(s) 9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Claims 1-13 are pending.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abraham et al. 6,420,864 in view of Rosengaus et al. 6,020,957.

Abraham et al. teaches an apparatus for manufacturing semiconductor devices and teaches use of standardized containers and/or measurement chambers; transfer of wafers; use of a computer, power source, or other device in close proximity to the measurement device or at a distance from the measurement device (col. 6, lines 5-17). Abraham teaches that the use of standardized containers and/or measurement

chambers (pods) allows ease in reconfiguring the system by allowing the containers and measurement chambers to be interchanged at a port (interface). (see col. 1, lines 30-37; col. 2, lines 16-27; and claim 5 in regards to the interchange of standardized elements) Abraham also teaches that the use of the standardized components allows ease in replacement of a defective module (col. 2, lines 16-27) and also allows the whole system to remain within given physical size limits (industry standard, col. 6, lines 25-31) Also see the abstract; figures; col. 1, lines 30-52; col. 2, lines 16-27; col. 3, lines 1-13; col. 4, lines 1-12; col. 6, lines 5-67; and the claims.

Abraham however does not specifically apply the system to a wafer fabrication tool, or teach moving wafers between the process chamber and the measurement chamber. Abraham also does not specifically show the connections of power, transfer of data from the pod to a computer. Abraham however does teach the use of a computer system, power supply , etc. can be mounted at some distance away from a pod if required and that it is well known (col. 6, lines 5-17).

It would have been obvious to one of ordinary skill in the art to provide the required connections so that data could be transferred to a computer and power supplied to a pod in view of the express teaching of Abraham. This would allow measurements to be taken at the proper time in response to commands from the computer and the measurement results stored, since the sensor arrangement lacks intelligence.

Rosengaus et al. 6,020,957 teaches a cluster tool having a central transport with wafer processing tools and an inspection system (10 in fig.11) arranged around the

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transport. Rosengaus teaches that this allows one or more process tools to be monitored (col. 16, lines 39-40 and col. 17, lines 15-23) and also teaches keeping a system at a constant vacuum and having a wafer visit a succession of tools (col. 16, lines 26-31). See figure 11 and col. 16, line 17 to col. 17, line 40. Rosengaus also teaches mounting the inspection system at a port (col. 16, lines 30-34).

It would have been obvious to one of ordinary skill in the art to modify Abraham in view of teachings of Rosengaus so that standardized pods could be used in a cluster tool with wafer processing tools and not just in a measurement system for increased sales, a wider market range, improved process control, ease in reconfiguration, and ease in repair.

In response to applicant's arguments, it is noted that measurement chamber (pod) of the combination of Abraham and Rosengaus would have a succession of wafers in a lot transported between the cluster tool (which includes a transporter and individual tools) and the measurement pod. This inherently requires transport of wafers from the cluster tool to the measurement pod and then loading the wafers back into the process tool.

5. Claims 1-8 and 10-13 are allowed.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

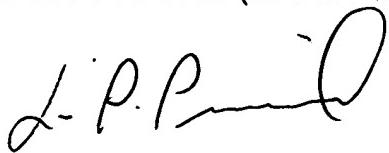
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Garland whose telephone number is 571-272-3741. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



sro
Steven R Garland
Examiner
Art Unit 2125

LEO PICARD
SUPERVISORY PATENT EXAMINER
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